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5 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 ALVINO SANTACRUZ-RIVERA, )

8 Petitioner, )

9 v. )

10 UNITED STATES OF AMERICA, )

11 Respondent. )  
\_\_\_\_\_ )

CASE NO. C09-832-MJP  
(CR06-425-MJP)

ORDER DISMISSING MOTION  
UNDER 28 U.S.C. § 2255

12 The Court has reviewed petitioner's § 2255 motion, the government's response thereto, the  
13 Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge,  
14 and the remaining record. Petitioner has not filed any Objections to Judge Theiler's Report and  
15 Recommendation. The Court does hereby find and Order:

- 16 (1) The Court adopts the Report and Recommendation.  
17 (2) Petitioner's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C.  
18 § 2255 (Dkt. No. 1), and this action, are DISMISSED with prejudice.  
19 (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for the  
20 government, and to Judge Theiler.

21 DATED this 1st day of December, 2009.

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24 Marsha J. Pechman  
25 United States District Judge

26 ORDER DISMISSING § 2255 MOTION